

76-2-401 Justification as defense -- When allowed.

- (1) Conduct which is justified is a defense to prosecution for any offense based on the conduct.
The defense of justification may be claimed:
- (a) when the actor's conduct is in defense of persons or property under the circumstances described in Sections 76-2-402 through 76-2-406 of this part;
 - (b) when the actor's conduct is reasonable and in fulfillment of his duties as a governmental officer or employee;
 - (c) when the actor's conduct is reasonable discipline of minors by parents, guardians, teachers, or other persons in loco parentis, as limited by Subsection (2);
 - (d) when the actor's conduct is reasonable discipline of persons in custody under the laws of the state; or
 - (e) when the actor's conduct is justified for any other reason under the laws of this state.
- (2) The defense of justification under Subsection (1)(c) is not available if the offense charged involves causing serious bodily injury, as defined in Section 76-1-601, serious physical injury, as defined in Section 76-5-109, or the death of the minor.

Amended by Chapter 126, 2000 General Session